

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTEGRA LIFESCIENCES CORP., INTEGRA
LIFESCIENCES SALES LLC, CONFLUENT
SURGICAL, INC., AND INCEPT LLC,

Plaintiffs,

v.

HYPERBRANCH MEDICAL TECHNOLOGY,
INC.,

Defendant.

Civil Action No. 15-819-LPS-CJB

[PROPOSED] ORDER

At Wilmington this 25th day of March, 2018.

WHEREAS, on May 15, 2018 the Court held a Final Pretrial Conference in the instant matter.

WHEREAS, the Court released the transcript of the May 15, 2018 Final Pretrial Conference on July 16, 2018 (“the Transcript”) (D.I. 768) under seal in recognition that it may contain confidential information, pending review by the parties;

WHEREAS, on July 23, 2018, Plaintiffs filed a “Notice of Intent to Request Redaction” of the Transcript (D.I. 769);

WHEREAS on August 6, 2018 Plaintiffs submitted a “Motion for Redactions to the Transcript of the May 15, 2018 Final Pretrial Conference (D.I. 785)” (the “Motion for Redaction”), submitting that the redactions (constituting specific information related to specific financial information and licensing provisions) are necessary because disclosure of the

confidential information reflected in the proposed redacted text would cause harm to the parties
(D.I. ____ at ____);

WHEREAS, it does not appear that Defendant opposes Plaintiffs' Motion;

WHEREAS, the proposed redactions are limited in scope, totaling approximately 6 words
(and their subsequent respective entries in the index) of the 212 page Transcript;

WHEREAS, although the redacted material does have a bearing on the Court's ultimate decision, sufficient context is provided by the remainder of the opinion to allow the reader to understand the Court's decisionmaking rationale;

WHEREAS, and considering the question as to this Motion only, the Court finds that good cause exists to believe that disclosure of those portions of the Transcript would work a "clearly defined and serious injury" to Plaintiffs. *Pansy v. Borough of Stroudsburg*, 23 F.3d 772. 786 (3d Cir. 1994) (internal quotation marks and citation omitted); *see also Mylan Inc. v. SmithKline Beecham Corp.*, 723 F.3d 413, 415 n.3 (3d Cir. 2013) (finding good cause to seal documents "to protect the parties' confidential proprietary business and competitive interests").

THEREFORE, it is HEREBY ORDERED that:

1. Plaintiffs' Motion is GRANTED. (DI 785)
2. Any and all publicly-available copies of the Transcript in the instant matter, including but not limited to copies that are or will be available by remote electronic access, shall be redacted as delineated in Exhibit 1 of Plaintiffs' Motion for Redactions, (D.I. ____).


Christopher J. Burke
UNITED STATES MAGISTRATE JUDGE